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Elections to fill vacancies in subsidiary organs and other elections: election of members of the Human Rights Council

Note verbale dated 30 August 2018 from the Permanent Mission of the Bahamas to the United Nations addressed to the President of the General Assembly

The Permanent Mission of the Commonwealth of The Bahamas to the United Nations has the honour to present the candidature of the Bahamas to the Human Rights Council for the term 2019–2021 in the elections to be held during the seventy-third session of the General Assembly.

The Permanent Mission of the Bahamas also has the honour to transmit, in accordance with General Assembly resolution 60/251, a document containing voluntary pledges and commitments made by the Bahamas regarding its contribution to the promotion and protection of human rights in all aspects (see annex), and kindly requests that the present note and its annex be circulated as a document of the General Assembly.

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Annex to the note verbale dated 30 August 2018 from the Permanent Mission of the Bahamas to the United Nations addressed to the President of the General Assembly

Candidature of the Bahamas to the Human Rights Council, 2019–2021

Voluntary pledges and commitments pursuant to General Assembly resolution 60/251

1. The Bahamas, a small island developing State, is seeking election for the first time to the Human Rights Council as a demonstration of its unwavering commitment to the promotion and protection of human rights and fundamental freedoms for all. The Bahamas believes that the fundamental rights and freedoms of all people must be protected and that small States ought to have a voice in ensuring such protection.

2. The Bahamas is the first member State of the Caribbean Community (CARICOM) to seek election to the Human Rights Council. Its candidature was endorsed by CARICOM in September 2016. The election of the Bahamas to the Council would provide a unique opportunity to bring increased diversity to the international discourse on, and consideration of, global human rights issues, from the perspective of a small State. The Bahamas firmly believes in the need to ensure the inclusion and participation of all Member States in the work of the Council.

3. The Bahamas has a long and proud history of democracy and the rule of law, with the third oldest parliamentary system in the Western Hemisphere. The Bahamas has a robust legislative framework for the promotion and protection of human rights and fundamental freedoms for all, which are enshrined in its Constitution.

Commitments at the international level

4. The Bahamas is party to the following seven core international human rights treaties:

(a) Convention on the Elimination of All Forms of Discrimination against Women;

(b) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(c) International Covenant on Civil and Political Rights;

(d) International Covenant on Economic, Social and Cultural Rights;

(e) International Convention on the Elimination of All Forms of Racial Discrimination;

(f) Convention on the Rights of Persons with Disabilities;

(g) Convention on the Rights of the Child.

5. The Bahamas has also ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

6. The Bahamas is fully committed to achieving the 2030 Agenda for Sustainable Development and recognizes the importance of advancing human rights as a pillar of such efforts. The Bahamas reaffirmed this in its voluntary national review on the Sustainable Development Goals, which was presented to the high-level political

forum on sustainable development, convened by the Economic and Social Council in New York in July 2018.

7. The Bahamas consistently co-sponsors and supports a number of General Assembly resolutions under the rubric of human rights, including those on trafficking in women and girls, ending obstetric fistula, the rights of the child, the right to food, the right to self-determination, the right to development and the enhancement of international cooperation in the field of human rights.

8. The Bahamas established its Permanent Mission to the United Nations Office at Geneva and other international organizations located there, in May 2013. The Mission has continued to demonstrate the unwavering commitment of the Bahamas to human rights and its interest in, and support for, the global human rights agenda. The Bahamas has a keen interest in the work of the Human Rights Council and desires to deepen its contribution to the advancement of human rights principles and values at the international level with a special focus on, inter alia, issues related to women, children, persons with disabilities, migration, health, small island developing States and sustainable development.

9. The Bahamas has engaged actively in the important work of the Human Rights Council by consistently increasing its participation in the universal periodic reviews of Member States, co-sponsoring key resolutions, issuing joint statements and delivering national and regional statements in the Council on issues such as: the rights of the child; the elimination of violence against women; the rights of persons with disabilities; the promotion of human rights through sport; youth and human rights; the right to education; national institutions for the promotion and protection of human rights; the enhancement of technical cooperation and capacity-building; small island developing States at the Human Rights Council; and the promotion of the human rights of people of African descent. The Bahamas has also hosted side events during the annual sessions of the Council on issues it seeks to highlight. Key examples of such efforts include:

(a) The Bahamas co-hosted its first side event and brochure launch during the thirty-fifth session of the Human Rights Council. The event was aimed at looking beyond the 100 per cent participation of CARICOM at the Human Rights Council in terms of opportunities and challenges for the trust fund for least developed countries and small island developing States. On this occasion a brochure issued by the Office of the United Nations High Commissioner for Human Rights (OHCHR), entitled "Voices of the Caribbean Community (CARICOM) in the Human Rights Council", was launched, highlighting the historic milestone of participation in the Council by all small island developing States that are members of CARICOM through the support of the trust fund for least developed countries and small island developing States. The Bahamas thus became the first beneficiary country of the trust fund to have financially sponsored a publication by OHCHR relating to the fund since it became operational in January 2014;

(b) The Bahamas also delivered the first joint statement by CARICOM members in the Human Rights Council during the annual full-day discussion on women at the thirty-fifth session of the Council;

(c) The Bahamas participates as a member of several groups of friends, including the Group of Friends of small island developing States and the Group of Friends of national mechanisms for reporting and follow-up.

10. These activities demonstrate some of the achievements of the Bahamas in the five years since it established its Permanent Mission at Geneva, through its sustained commitment and dedication to the work of the Human Rights Council.

11. The long-term objective of the Bahamas in seeking election to the Human Rights Council is to ensure that, in the exercise of foreign policy, human rights issues are central to the global discourse and are mainstreamed throughout the work of the United Nations system.

12. As a member of CARICOM, the Bahamas actively participated in the process of strengthening the United Nations treaty body system and is committed to supporting improvements to it, particularly those aimed at enhancing efficiencies and ensuring that human rights reporting is not a burden but an opportunity for sustained and meaningful engagement with the treaty bodies.

13. The Bahamas supports the work of the special procedures mandate holders of the Human Rights Council and has extended a standing invitation to all mandate holders since 2013. In December 2013, the Special Rapporteur on trafficking in persons, especially women and children, undertook a field visit to the Bahamas. In this context, the Bahamas was commended for its willingness to combat trafficking in persons and for its adoption, in 2008, of a comprehensive law on trafficking in persons. The Bahamas has established a national task force on trafficking in persons and an interministerial committee on trafficking in persons. The Bahamas also extended an invitation to the Special Rapporteur on violence against women, its causes and consequences, who conducted a visit to the country in December 2017. In addition, the Group of Friends of the Convention against Torture Initiative visited the Bahamas in November 2017 to discuss with national authorities the challenges of ratifying and implementing the convention as well as ways in which assistance could be provided. The Bahamas ratified the Convention against Torture on 31 May 2018.

14. The Bahamas successfully underwent its first, second and third reviews under the universal periodic review procedure, in December 2008, January 2013 and January 2018, and has accepted a significant number of recommendations for implementation and further review.

15. The Bahamas also underwent, in 2012, its review under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women and pledged its firm commitment to gender equality and the empowerment of women. Representatives of the Bahamas will appear before the Committee on the Elimination of Discrimination against Women in October 2018, in accordance with the obligations of the country under the Convention. As a demonstration of its commitment to gender equality and the empowerment of women, the Bahamas participates actively, at the ministerial level, in the annual sessions of the Commission on the Status of Women and makes an annual voluntary contribution to the core resources of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

16. The Bahamas demonstrated its commitment to the empowerment and advancement of the rights of women both nationally and internationally through its support for the election of the first Bahamian national to a United Nations treaty body, the Committee on the Elimination of Discrimination against Women, in June 2016, in the person of Marion Bethel, a renowned gender champion in the Bahamas.

17. The Bahamas has consistently demonstrated its commitment to human rights and fundamental freedoms in practice by engaging with OHCHR and other United Nations entities:

(a) In June 2013, as a result of its request for technical assistance with the management of its reporting obligations under international conventions, the Bahamas agreed to be one of three States to participate in a case study conducted by OHCHR. The study, entitled "National Mechanisms for Reporting and Follow-up", assessed the engagement of States with international human rights mechanisms. The study was completed in 2015 and published in 2016. The purpose of the study was to

assist States parties and other actors in sharing knowledge, information and relevant good practices regarding national reporting and coordinating mechanisms. The study focused on the experiences of various countries in establishing a national reporting and coordinating mechanism for reporting to United Nations human rights bodies and following up on the implementation of the decisions and recommendations of the bodies. The study included four case studies which looked at the current practices and challenges faced in the establishment of mechanisms in these countries;

(b) In February 2014, after the Bahamas requested technical assistance, a workshop and training session were held on the reporting process and implementation of the United Nations treaty body system. The topics covered during the workshop were: an overview of the international human rights system; the reporting process; the treaty bodies — bringing human rights home; individual complaints and inquiry procedures; treaty implementation; and a mapping exercise prioritizing recommendations of the treaty bodies, special procedures and universal periodic reviews;

(c) The Bahamas is pleased that its request for technical assistance was granted in the form of opportunities to train its officers. The Bahamas nominated four of its officers to be trained at the OHCHR regional workshop on universal periodic reviews, in July 2015, and in December 2015 it sent two of its officers to an OHCHR-sponsored train-the-trainers programme on the United Nations human rights conventions for English-speaking Caribbean countries, Canada and the United States of America. One of its officers was invited to speak and act as an expert and resource person at the regional workshop on universal periodic reviews, held at the Novotel Suva Lami Bay conference centre, Fiji, in November 2015;

(d) A representative from the Bahamas chaired the high-level side event held in March 2017 to mark the fifth anniversary of the trust fund for least developed countries and small island developing States;

(e) The Bahamas has been a beneficiary of the trust fund for least developed countries and small island developing states, both as a fellow and in the thirty-seventh session of the Human Rights Council;

(f) The Bahamas has a partnership with the Office of the United Nations High Commissioner for Refugees (UNHCR) on matters relating to migration.

Commitments at the regional level

18. As the candidate to the Human Rights Council endorsed by CARICOM, the Bahamas undertakes to be an advocate within the subregion on human rights issues and to promote increased participation by CARICOM in the work of the Council. The Bahamas commits to sharing experiences and lessons learned at the regional level and beyond in the field of human rights.

19. In the framework of the programme on regional solidarity with the Caribbean, the Caribbean Migration Consultations, a new regional consultative process, was launched in 2016 with the support of UNHCR and the International Organization for Migration. It was the Bahamian delegation that highlighted the need to develop rights-based migration policies as the foundation of the comprehensive and effective management of mixed migration, using a regional coordination platform to achieve the goal. The Bahamas hosted the second round of the Caribbean Migration Consultations in December 2017 with the participation of 20 Caribbean countries.

20. As a member of a number of regional and subregional bodies, including the Organization of American States, the Community of Latin American and Caribbean Countries, the Association of Caribbean States and CARICOM, the Bahamas pledges

to work within such organizations to further promote and protect human rights at the regional level.

21. The Bahamas is a State party to regional human rights instruments, including the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para).

Commitments at the national level

22. The Bahamas is currently considering additional legislative measures to further enhance existing safeguards in order to promote and protect human rights on matters relating, inter alia, to migration and sexual offences.

23. The Bahamas intends to establish a national human rights institution in accordance with the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (Paris Principles) and, in this regard, tabled a bill in 2017 to establish the office of the ombudsperson.

24. In 2015 the Bahamas established a standing national mechanism for reporting and follow-up, an interministerial working group with the following terms of reference: to design a master framework for the scheduling, preparation and submission of the required reports for each treaty; to design a procedure for the delegation of recommendations forwarded by the treaty committees; to formulate a strategy for the implementation of the recommendations accepted by the responsible agency; and to determine and develop a monitoring device for the implemented recommendations.

Pledges and commitments

25. If elected to the Human Rights Council, the Bahamas makes the following commitments to:

(a) Uphold the highest standards in the promotion and protection of human rights;

(b) Fully support and engage constructively in the deliberations of the Human Rights Council, its subsidiary bodies and mechanisms, including the special procedures;

(c) Openly and constructively engage in a robust universal review procedure, including reporting on measures taken to follow up on recommendations;

(d) Meaningfully engage with its regional partners, including civil society organizations, on issues relating to human rights and to share best practices and lessons learned in this regard;

(e) Protect against and prevent discrimination in all its forms, in both law and practice;

(f) Assist in the development of a national reporting cooperation mechanism within the region and to support it in exchanging best practices;

(g) Advocate for diversity and inclusivity in the Human Rights Council to ensure that all small island developing States have a voice on the pre-eminent United Nations body responsible for the promotion and the protection of human rights;

(h) Ensure that, in the exercise of foreign policy, human rights issues are central to the global discourse and are mainstreamed throughout the work of the United Nations system;

(i) Continue to support all efforts aimed at guaranteeing effective responses by the international community to global human rights violations, such as prevention and early action;

(j) Promote international discourse on areas of human rights of particular concern to small island developing States, such as human rights and the environment, climate change, public service delivery and local government;

(k) Continue to advocate for the development of the institutional and human rights capacity of small island developing States and least developed countries;

(l) Contribute, at the international level, to the advancement of women's rights, children's rights, the rights of persons with disabilities and the advancement of human rights aspects of migration, health and sustainable development;

(m) Review and implement accepted recommendations from the universal periodic review of the Bahamas;

(n) Submit reports in a timely manner and implement concluding observations;

(o) Contribute to the global reform of the treaty body system;

(p) Cooperate with special procedures, accepting requests for visits and responding to communications and follow-up on recommendations;

(q) Contribute to international initiatives for the protection of human rights through the provision of financial resources.

26. The Bahamas pledges its full commitment to supporting all efforts aimed at guaranteeing effective responses by the international community to global human rights violations and new and existing human rights challenges.

27. The Bahamas welcomes the invaluable support of Member States for its candidature for election to the Human Rights Council.